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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/777,290

02/11/2004

Anthony E. Zank

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EXAMINER

CHAWAN, SHEELA C

ART UNIT

PAPER NUMBER

2624

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/777,290	Applicant(s) ZANK ET AL.	
	Examiner Sheela C. Chawan	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 16-17, 20- 25 is/are rejected.
- 7) ☒ Claim(s) 12-15, 18 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The Examiner has approved drawings filed on 2/11/04.

Specification

2. The abstract of the disclosure is objected to because in line 2, e.g., should be deleted. Correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-11, 16 - 17, 20 - 25, are rejected under 35 U.S.C. 102(e) as being anticipated by Black (US. 6,539,101 B1).

As to claim 1, Black discloses a transport system, comprising:

a housing having an exterior surface and an interior surface, said housing comprising: a compartment inside the housing; and a door attached to the housing, which provides access to the compartment (fig 16, 15, corresponds to housing);

a device for capturing data in electronic form in said compartment (fig 15, note, device 15 which is stylus includes one or more sensors 20 that capture biometric properties of the user);

a wireless communications device for communicating data from the device for capturing data to a second device (column 10, lines 41- 67); and

a memory for storing said data (fig 16).

As to claim 2, Black discloses the transport system of claim 1, wherein the memory is contained in the device for capturing data (fig 16).

As to claim 3, Black discloses the transport system of claim 1, wherein the memory is contained in a stylus (fig 16, data processing correspond to memory, column 11, lines 28- 30, insert 50).

As to claim 4, Black discloses the transport system of claim 1, further comprising the second device, wherein the memory is contained in the second device (column 7, lines 34 - 42).

As to claim 5, Black discloses the transport system of claim 1, wherein the memory is contained in the wireless communications device (column 11, lines 50- 62).

As to claim 6, Black discloses the transport system of claim 5, wherein the memory is a storage buffer (column 11, lines 50- 62).

As to claim 7, Black discloses the transport system of claim 1, wherein the door is an integral part of the housing (note, stylus corresponds to device which is housing, column 1, lines 54- 61).

As to claim 8, Black discloses the transport system of claim 1, wherein the housing is adapted to be transported through a pneumatic tube (note, stylus corresponds to device which is housing and it like tube, column 1, lines 54- 61).

As to claim 9, Black discloses the transport system of claim 1, wherein the compartment is adapted to transport medication for an individual (column 24, lines 64 – 67, column 25, lines 1-4).

As to claim 10, Black discloses the transport system of claim 1, wherein the compartment is adapted to carry a stylus (abstract, column 4, lines 48- 49).

As to claim 11, Black discloses the transport system of claim 10, wherein the stylus is reversibly attached to a surface of the compartment (fig 17 A, column 8, lines 24- 25).

As to claim 16, Black discloses the transport system of claim 1, wherein the device for capturing data is fixedly attached to the compartment (fig 16, note sensors are fixed inside the pen devices).

As to claim 17, Black discloses the transport system of claim 1, wherein the device for capturing data is reversibly attached to the compartment (fig 18).

As to claim 20, Black discloses the transport system of claim 1, wherein the device for capturing data in electronic form is adapted to detect data which indicates that a user of the device is under duress (fig 16).

As to claim 21, Black discloses the transport system of claim 1, wherein the second device includes a receiver (column 21, lines 42- 46, column 24, lines 1-9).

As to claim 22, Black discloses the transport system of claim 1, wherein the second device includes a transceiver (column 24, lines 10-32).

As to claim 24, Black discloses the transport system of claim 23, wherein the communications device is a wireless communications device (column 1, lines 37-45).

As to claim 25, Black, discloses the transport system of claim 23: wherein the communications device is an infrared device (column 1, lines 39- 45).

Allowable Subject Matter

4. Claims 12 -15 and 18-19, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

As to claim 12, the transport system wherein the surface of the compartment has attached thereto a first piece of hook-and-loop material and the stylus has attached thereto a corresponding second piece of hook-and-loop material to which the first piece becomes reversibly bound when brought into contact with the second piece.

As to claim 13, the transport system wherein the compartment further comprises a foam material adapted to restrain the stylus when the door is in a closed position.

As to claim 14, the transport system additionally comprising a global positioning system.

As to claim 15, the transport system wherein the global positioning system provides location data to a computer in the housing, and wherein a remote alarm circuit is activated by the remote computer when the location data indicates that the housing is beyond a predetermined distance from a predetermined location~

As to claim 18, the transport system of claim 1, further comprising an optical switch, said switch comprising:

a pair of posts attached to a surface of the compartment, wherein one of said posts includes an infrared emitting diode and the other of said posts includes a sensor, and wherein a beam of infrared light is transmitted from the diode to the sensor; and an opaque material attached to the door, wherein when the door is in a closed position the opaque material is positioned in between the pair of posts and blocks the beam of infrared light.

As to claim 19, the transport system wherein the data is selected from the group consisting of fingerprint data, signature data, voiceprint data, data in magnetic form, digital photographic data, alphanumeric data, data from a breathalyzer, and data stored in a smart card.

Other prior art cited

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Beatson et al., (US. 5,892,824) discloses signature capture/verification system and methods.

Zank et al., (US. 2004/0156536 A1) discloses wireless signature management system.

Zank et al., (US. 6,307,955 B1) discloses electronic signature management system.

Scott (US. 2003/0001459 A1) discloses secure wireless sales transaction using print information to verify a purchaser's identity.

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheela C Chawan whose telephone number is. 571-272-7446. The examiner can normally be reached on Monday - Thursday 7.30 - 6.00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on 571-272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sheela Chawan
Patent Examiner
Group Art Unit 2624
June 21, 2007

Sheela Chawan
SHEELA CHAWAN
PRIMARY EXAMINER